

Attorney Docket No: 40116/03701 (1546)

REMARKS**I. INTRODUCTION**

Claims 1-29 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the pending claims are allowable.

II. CLAIM REJECTIONS - 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 1-29 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the limitation "obtaining a PIN code from the user via the DCA, the PIN code identifying at least one device with which the first device is authorized to communicate" finds no support in the specification. Applicants disagree. Paragraph [0014] of the specification (published version) states the following: "The authentication process commences by the HD 12 requesting the MU 2 to obtain the PIN code from the user. The PIN code indicates an identity of the MU 2 as a device with which the HD 12 is allowed to establish the authenticated communication." (Emphasis added) Therefore, support exists for this particular claim feature, and withdrawal of the rejection is requested.

III. CLAIM REJECTIONS - 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1-29 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner asserts that the limitation "obtaining a PIN code from the user via the DCA, the PIN code identifying at least one device with which the first device is authorized to communicate" is indefinite. Applicants disagree. The specification makes clear that the database DB establishes a relationship between a PIN and certain devices. The entry of a PIN is used to determine the devices are associated with it. Those devices so associated are regarded as

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the devices authorized to communicate with the device that transmitted the PIN. This is described clearly enough at paragraphs [0014]- [0018] of the specification. Thus, when the claim is read in light of the specification, one of ordinary skill in the art would understand the claim. Accordingly, withdrawal of the rejection is requested.

IV. CLAIM REJECTIONS - 35 U.S.C. § 103(a)

Claims 1-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Appln. No. 2003/0172283 to O'Hara ("O'Hara") in view of U.S. Patent No. 5,534,857 to Laing ("Laing").

Claim 1, recites, in relevant portion: "[a] method for establishing an authenticated wireless communication between a first mobile device and a second device, comprising the steps of:... sending an initial signal by the first device to establish a wireless communication with the second device, *the first device including only a data capturing arrangement ("DCA") as an input device interface with a user thereof...* obtaining a PIN code from the user via the DCA, *the PIN code identifying at least one device with which the first device is authorized to communicate; performing a pairing process to compare the PIN code to entries in a database of authorized PIN codes; when the pairing process has been successfully completed, generating a link key to establish the authenticated wireless communication between the first and second devices.*"

The Examiner asserts that O'Hara teaches a device that "include[es] only a data capturing arrangement ("DCA") as an input device interface with a user thereof." This language means that the DCA is the only input device in the first device. That is untrue of the O'Hara device because, as shown in Figures 1 and 2, it includes a keypad, a touchscreen, and a biometric scanner. Therefore, O'Hara fails to meet this particular limitation, and Laing does not cure this deficiency.

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The Examiner also asserts that O' Hara teaches obtaining a PIN code that identifies the devices authorized to communicate with the first device. The Examiner appears to believe that the biometric data obtained by the O'Hara device meets the PIN limitation of the claim. This is incorrect. The term PIN is not intended to cover any information that can uniquely identify something else. The term PIN covers numeric information, not the physical traits of a person, however unique such traits may be. Therefore, O'Hara does not teach the use of PIN. Laing does not cure this deficiency. Accordingly, withdrawal of this rejection is requested.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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